IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

PATRICIA JOHNSON, FAUSTO CABRERA, VELLYN ANTONELLI,	
CARMEN FOX, MARK) C.A. NO. 10-10316
ANGELOPOULOS, DIANE ANDERSON	
JAMES COOLEY and MARGARET	
COOLEY, on behalf of themselves and all	
others similarly situated,	
Plaintiffs,	
vs.	
BAC HOME LOANS SERVICING, LP, a	
subsidiary of BANK OF AMERICA, N.A.)
Defendant.)
)

ASSENTED TO MOTION TO EXTEND PLAINTIFFS' RESPONSE TO <u>DEFENDANT'S MOTION TO DISMISS</u>

Plaintiffs Patricia Johnson, Fausto Cabrera, Vellyn Antonelli, Carmen Fox, Mark Angelopoulos, Diane Anderson, James Cooley and Margaret Cooley, on behalf of themselves and all others similarly situated ("Plaintiffs"), with the assent of Defendant BAC Home Loan Serviceing, L.P. ("BAC" or "Defendant" and collectively with Plaintiffs, "the parties") hereby move for an order from this Court to extend the time allowed for their response to the pending Motion to Dismiss, Docket No.10, filed by Defendant (the "Motion to Dismiss"). In support of this Motion, Plaintiffs state as follows:

1. On June 14, 2010, Defendant moved to dismiss Plaintiffs' First Amended

Complaint. Plaintiffs' response is now due on June 28, 2010.

2. The parties have conferred by telephone and email regarding the present motion, with the Plaintiffs requesting the Defendant's assent to an extension of time of ten days

for the filing of their Opposition to the Motion to Dismiss.

3. The Defendant agreed to that request.

4. In light of this exchange, and because of the complex legal questions at issue in

this putative class action case, Plaintiffs request a ten-day extension of time for the

Plaintiffs to file their Opposition to the pending Motion to Dismiss.

5. Plaintiffs therefore seek additional time, to and including Thursday, July 8, 2010,

to file their opposition to the Motion to Dismiss.

WHEREFORE, Plaintiffs request that the Court order that: (1) plaintiffs shall file

their Opposition to the Motion to Dismiss on or before July 8, 2010; and (2) that the

Court order such other relief as it deems just and necessary.

Respectfully Submitted, On behalf of the Plaintiffs,

/s/ Gary Klein

Gary Klein (BBO 560769)

Shennan Kavanagh (BBO 655174)

Kevin Costello (BBO 669100)

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On behalf of Patricia Johnson, Fausto Cabrera, Vellyn Antonelli, Mark Angelopoulos, Diane Anderson, James Cooley and Margaret Cooley,

/s/ Michael Raabe
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DATE: June 24, 2010

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF) and paper copies will be sent to those indicated as non-registered participants on June 24, 2010.

/s/ Kevin Costello Kevin Costello

Local Rule 7.1(A)(2) Certificate

I, Kevin Costello, hereby certify pursuant to Local Rule 7.1(A)(2) that Plaintiffs' counsel consulted with counsel for Defendant before filing the foregoing motion. Defendant assents to the extension requested in this motion.

/s/ Kevin Costello
Kevin Costello